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No. 215

HOME SECRETARIAT

NOTIFICATION.

Bangalore, dated 10th October 1967.

G.S.R. 446.—The following draft of the Mysore Excise (Grant of Rewards) Rules, 1967, which the Government of Mysore proposes to make in exercise of powers conferred by section 71 of the Mysore Excise Act, 1965 (Mysore Act No. 21 of 1966), and in supersession of all rules, orders and notifications on the subject made or issued under any enactment repealed by section 72 of the said Act, is hereby published for the information of persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 25th October 1967.

Any objection or suggestion which may be received from any person with respect to the said draft by the State Government before the aforesaid date, will be considered by the Government of Mysore. Objections or suggestions may be addressed to the Secretary to Government, Home Department, Vidhana Soudha, Bangalore-1.

1. Title, extent and commencement.—(1) These rules may be called the Mysore Excise (Grant of Rewards) Rules, 1967.

(2) They shall extend to all the areas of the State of Mysore, where the Mysore Excise Act, 1965 is in force.

(3) They shall come into force at once.

2. Grant of rewards.—(a) In any case in which a penalty is imposed or confiscation ordered by a competent authority under any law for the time being in force for the administration or protection of excise revenue, the under-mentioned Officers of the Excise Department may grant in such proportions, as they think fit to any person or persons, who may have contributed to the conviction of the offender or to the seizure of the property so confiscated, a reward not exceeding the proceeds of the liquor or intoxicating drug confiscated, plus the amount for which any other article confiscated in the same case may sell, plus the amount of any fine imposed therein.

Provided always that the aggregate amount of the reward thus granted in any one case, shall not exceed if the reward is to be made by the Excise Commissioner rupees two hundred fifty and if the reward is to be made by the Deputy Commissioner rupees fifty.

(b) In any case in which any person or persons may have been convicted for an offence under the Mysore Excise Act, 1965 but in which no penalty or confiscation may have been imposed or ordered or in which any person has performed any service of special merit in respect of prevention or detection of any such offence rewards may be granted :

Provided always that the aggregate amount of the reward thus granted in any one case, shall not exceed rupees one hundred or rupees fifty if the reward is to be made by the Excise Commissioner or by the Deputy Commissioner respectively.

3. Incurring expenditure.—The Excise Commissioner or the Deputy Commissioner with the sanction of the Excise Commissioner may incur at his discretion an expenditure not exceeding rupees fifty in each case, for the employment of informers or for any other purpose connected with the

prevention or detection of any offence against the laws relating to Excise Revenue.

4. Government sanction.—In all cases where the reward proposed and expenditure to be incurred exceeds the amounts mentioned in rules 2 and 3, previous sanction of Government shall be necessary.

5. Minimum reward.—(1) No reward shall be less than half the aggregate amount of the fines and confiscations realised :

Provided that where the aggregate amount of fines and confiscations realised is small not exceeding rupees ten the reward may be of equal amount :

Provided further that the rewards to the village officials shall in no case be less than rupees five.

6. Rewards where fine etc., not imposed.—Where any sentence of imprisonment is passed and no fine is imposed or realised or no confiscation is ordered reward may, in the discretion of the officer authorised under rules 2 and 3 be granted subject to the limits specified of sanction in these rules.

7. Reward to Informer, etc.—Not less than half of the amount of reward shall be given to the informer, if any, and the remainder to the persons actually co-operating in the seizure or arrest. Provided that where the amount is realised in execution of the Magistrates warrant the amount of reward to the persons co-operating shall one-fourth of the amount of reward admissible under these rules and one-fourth shall be given to the person who applied for the warrant.

8. Distribution to be equal.—Rewards shall be as far as possible, be distributed equally among the officers engaged in the transaction for which the reward is granted.

9. Sanction of Excise Commissioner.—No reward shall be given to the Excise Inspectors without the previous sanction of the Excise Commissioner. Rewards to the officers of other Departments shall be made through the Heads of the Departments concerned.

10. Cases where no informer.—Where there is no informer in a case the entire amount of reward shall be given to the persons who actually co-operated in the detection and seizure.

11. Manner of payment.—(1) Recommendation rolls in Form No. I, or bills as the case may be, for payment of rewards should be submitted to the Excise Commissioner after the case has ended in conviction of the offenders and where an appeal has been presented after the conviction is confirmed and where no appeal is filed after the limitation period for filing the appeal has expired. The rolls or bills shall clearly indicate the amount of fine or penalty, if any, and sales of confiscated property in the case, realised.

(2) On receipt of the recommendation rolls or bills, the amount sanctioned or passed by the Excise Commissioner will be drawn on abstract contingent bills and forwarded to the officers concerned. The payment of reward may be made personally by the Deputy Commissioner or the District Excise Officer as the case may be, and acknowledgment obtained from the payees and forwarded to the Excise Commissioner's Office.

No delay should be permitted in the disbursement of rewards.

(3) Reward in special cases, may, with the previous sanction of the Government, be made in any other form than the grant of money.

FORM No. I

(See Rule 14)

Combined roll of Rewards

From

To

Dated

Despatched

Received

Enclosures

Statement of Rewards recommended for the month of..... ..

Signature and Designation.

FORM No. I—*contd.*

Statement of Rewards recommended in the month of.....

Court	Calendar No.	Crime Register No.	Brief statement of the nature of the case	No. of persons		Punishment awarded									Amount of fine levied.
				Charged	Convicted	Substantive imprisonment			Fine			Imprisonment in default of payment of the			
						Description	No. of persons	Period	No. of persons	Amount of each	Total amount	Description	No. of persons	Period	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

FORM No. I—*concl.*

Confiscation ordered			Reward recommended by		Rewards sanctioned or recommended by	Remarks
Description of articles	Quantity	Value	To whom and on what grounds	Amount		
17	18	19	20	21	22	23

Signature and Designation.

[No. HD 82 EFL 67.]

By Order and in the name of the Governor of Mysore,

M. G. KRISHNA,
Under Secretary to Government,
Home Department.